



Serial No.: 09/519,224
Docket No.: HEMA.69528

2863

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : John C. Yundt-Pacheco
Serial No. : 09/519,224
Filing Date : March 6, 2000
Title : METHOD AND STRUCTURE FOR MITIGATING
INSTRUMENTATION DIFFERENCES

Group/Art Unit : 2863
Examiner : Xiuquin Sun
Confirmation No. : 7948

Docket No. : HEMA.69528

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In response to a telephone conversation with Examiner Sun on September 29, 2004,

Applicant submits the following:

1. A copy of a Response to Office Action filed by Applicant on April 9, 2004 in response to the Office Action dated November 12, 2003, including a copy of the Petition for Extension of Time and check filed with the response, and a copy of the itemized return card filed with the response indicating that the Response to Office Action was received by the PTO.
2. A copy of a Notice of Non-Compliant Amendment mailed by the PTO on April 30, 2004, indicating that the Listing of Claims in the Response to Office Action filed on April 9, 2004 was incomplete.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: October 6, 2004

Signature: [Signature]

Printed Name: Erica Katterman

The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

3. A copy of a Transmittal Letter, including a complete Listing of Claims, sent by Applicant on May 25, 2004 in response to the Notice of Non-Compliant Amendment, and a copy of an itemized return card filed with the Transmittal Letter indicating that the Transmittal Letter and Listing of Claims was received by the PTO.

REMARKS

In a telephone conversation initiated by Examiner Sun on September 29, 2004, the Examiner indicated that no response to the Office Action of November 12, 2003 was received, thus the six month period in which to respond to the Office Action had expired. As evidenced by the enclosed documentation, Applicant timely responded to the Office Action of November 12, 2003, and timely responded to the Notice of Non-Compliant Amendment dated April 30, 2004. Thus, Applicant has timely responded to the Office Action of November 12, 2003, and the Examiner is respectfully requested to consider the Applicant's already-filed Response to Office Action.

If the Examiner should have any further questions or require any additional infuriation, she may contact Applicant's counsel directly.

Acknowledgement of receipt is respectfully requested.

Respectfully submitted,

By: 

Mark C. Young, Reg. No. 48,670
STINSON MORRISON HECKER LLP
1201 Walnut Street, Suite 2800
Kansas City, MO 64106-2150
Telephone: (816) 842-8600
Facsimile: (816) 691-3495
Attorney for Applicant



Serial No.: 09/519,224
Attorney Docket No.: HEMA.69528

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TRANSMITTAL LETTER

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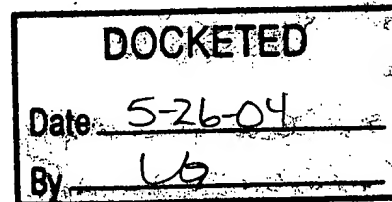
In response to the Notice of Non-Compliant Amendment dated April 30, 2004, Applicant herewith submits a complete listing of the claims as requested by the Legal Instruments Examiner. Applicant believes that this listing of claims places the previously submitted Amendment and Response to Office Action in compliance.

If the Legal Instruments Examiner has any further questions, he/she is invited to contact the Applicant's counsel listed below.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: May 25, 2004
Signature: Erika Ketterman
Printed Name: Erika Ketterman



The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

BEST AVAILABLE COPY

Acknowledgment of receipt is respectfully requested.

Respectfully submitted,

By: Mark C. Young
Mark C. Young, Reg. No. 48,670
STINSON MORRISON HECKER LLP
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RESPONSE TO OFFICE ACTION

In response to the Office Action dated November 12, 2003, please consider the following:

The **Listing of Claims**, reflecting any amendments to the claims, begins on page 2 of this paper.

Remarks/Arguments **begin on page 4 of this paper.**

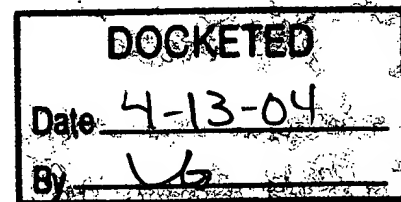
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

Date: April 9, 2004

Signature: [Signature]

Printed Name: Eric J. Ketterman



The Director is hereby authorized to charge any additional amount required, or credit any overpayment, to Deposit Account No. 19-4409.

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